

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SHARY EVERETT, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

MCI, INC., a Delaware Corporation,

Defendant.

In re:
WORLDCOM, INC., *et al.*,

Debtors.

Adversary Proceeding

No. 07-01792-AJG

Chapter 11

Case No. 02-13533-AJG

(Jointly Administered)

**[PROPOSED] ORDER GRANTING
MOTION TO WITHDRAW THE REFERENCE**

Plaintiff moves for an Order withdrawing to the District Court the automatic reference of this action to the Bankruptcy Court. The motion was timely filed.

This action is subject to mandatory withdrawal under 28 U.S.C. § 157(d), because its adjudication requires substantial and material consideration of the Communications Act. *See City of New York v. Exxon Corp.*, 932 F.2d 1020, 1026 (2d Cir. 1991).

Good cause also exists for discretionary withdrawal of this action under 28 U.S.C. § 157(d). The claims asserted in this putative class action are non-core, and Plaintiff has demanded a jury trial. In addition, the interests of judicial economy, the prevention of forum-

shopping, and the uniformity of bankruptcy administration all favor withdrawal of the reference.
See In re Burger Boys, Inc., 94 F.3d 755, 762 (2d Cir. 1996).

The motion is hereby **GRANTED**.

Dated: _____

United States District Judge